

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

TIMOTHY BOULDING and LORA J. BOULDING,

Plaintiffs,

v.

Case Number 10-12237  
Honorable David M. Lawson

DEBORAH BENEDICT WALDMEIR, MICHIGAN  
STATE TREASURER, and JUDGE RUDY J.  
NICHOLS,

Defendants.

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**ORDER DENYING PLAINTIFFS' MOTION TO APPOINT COUNSEL**

Presently before the Court is the plaintiffs' motion to appoint counsel. "[A]ppointment of counsel in a civil case is . . . a matter within the discretion of the court. It is a privilege not a right." *Childs v. Pellegrin*, 822 F.2d 1382, 1384 (6th Cir. 1987) (quoting *U.S. v. Madden*, 352 F.2d 792, 793 (9th Cir. 1965)). The plaintiffs have failed to present convincing reasons as to why this Court should exercise its discretionary power at this time.

Accordingly, it is **ORDERED** that the plaintiffs' motion to appoint counsel [dkt #13] is **DENIED**.

s/David M. Lawson  
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DAVID M. LAWSON  
United States District Judge

Dated: May 13, 2011

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on May 13, 2011.

s/Deborah R. Tofil  
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DEBORAH R. TOFIL